

United States District Court

U.S. DISTRICT COURT
DISTRICT OF NEW HAMPSHIREfor the
District of New Hampshire

JUL 23 2012

Petition for Warrant or Summons for Offender Under Supervision

FILED

Name of Offender: Daniel Moriarty

Case Number: 11-CR-03-01-PB

Name of Sentencing Judicial Officer: Honorable Paul J. Barbadoro

Date of Original Sentence: December 20, 2011

Original Offense: False Statement During Firearms Purchase

Original Sentence: Time served (120 days), followed by 3 years supervised release.

Type of Supervision: Supervised Release Date Supervision Commenced: December 20, 2011

Asst. U.S. Attorney: Robert M. Kinsella, Esq. Defense Attorney: Harry C. Batchelder, Jr., Esq.

PETITIONING THE COURT

- ☒ To issue a warrant
☐ To issue a summons

The probation officer, being duly sworn, believes based upon the facts set forth in the attached affidavit that the offender has violated the following condition(s) of supervision:

<u>Violation No:</u>	<u>Condition:</u>	<u>Nature of the Violation:</u>
1	<u>VIOLATION OF MC: You shall not commit another federal, state, or local crime.</u>	In that, the releasee did commit the crime of illegal possession and use of a controlled substance (heroin), in violation of 21 U.S.C. § 844(a) and NH RSA 318-B:2, as evidenced by the releasee's verbal admission to this officer on July 13, 2012, that he consumed heroin on July 12, 2012.
2	<u>VIOLATION OF SC: You shall participate in a program approved by the U.S. Probation Office for treatment of narcotic addiction or drug or alcohol dependency which will include testing for the detection of substance use or abuse. You shall also abstain from the use of alcoholic beverages and/or all other intoxicants during and after the course of treatment. The defendant shall pay for the cost of treatment to the extent he is able as determined by the probation officer.</u>	In that, the releasee did unsuccessfully discharge from the Southeastern NH Services's 28-day residential treatment program, when he walked away from the program without permission on July 21, 2012, as evidenced by statements made by Barbra Cormier of Southeastern NH Services.

U.S. Probation Officer Recommendation:

Please see attached memorandum.

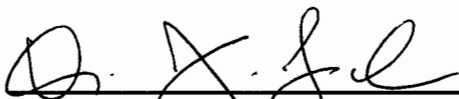
The term of supervision should be:

☒ Revoked☐ Extended for [yrs] year(s), for a total term of [tot_yrs] years.☐ The conditions of supervision should be modified as follows:Matthew J. DiCarlo
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☒ The Issuance of a Warrant / Matter Sealed Pending Arrest
☐ The Issuance of a Summons
☐ Other

Subscribed and sworn before me this 23rd day
of July, 2012 at Concord, New Hampshire.

Honorable Landyn B. McCafferty
United States Magistrate Judge